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RUCPDO/DEPT OF COMMERCE WASHINGTON DC
RUEAUSA/DEPT OF EDUCATION WASHINGTON DC
RHMFISS/DEPT OF ENERGY WASHINGTON DC
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C O N F I D E N T I A L SECTION 01 OF 12 CANBERRA 000675

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SUBJECT: TEXT OF MOUS BETWEEN AUSTRALIA AND IRAQ

Classified By: Political Counselor James F. Cole for reasons 1.4 (c) and (d)

¶1. (C/NF) START SUMMARY: On July 17, Lloyd Brodrick (protect), Director of the Iraq Section at the Department of Foreign Affairs and Trade provided to the Embassy the texts of six MOUs signed by Deputy Prime Minister Julia Gillard, during her visit to Baghdad on June 27. The texts were signed in the presence of PM Maliki, with each of the ministerial heads of the relevant agencies signing as well. These MOUs are still awaiting approval from the Council of Representatives of the Government of Iraq, and they should be read alongside the declaration signed on March 12 by Prime Minister Rudd and Prime Minister Nouri al-Maliki during the Iraqi PM's visit to Australia. Brodrick stated that GOA is currently working on the follow up mechanism, which will involve senior officials' talks and annual review by Foreign Ministers. Nine Australian agencies and departments are directly named in the MOUs, but AG, PM&C, Customs, and the ACIAR (an agricultural agency) will also be involved. Because the MOUs are not yet approved by the Council of Representatives, Brodrick asks that we treat the texts as confidential.

END SUMMARY

¶3. (C) The text of the Australian notes follows:

Begin Notes:

DECLARATION BY THE PRIME MINISTER OF AUSTRALIA, THE HON KEVIN RUDD MP AND THE PRIME MINISTER OF THE REPUBLIC OF IRAQ, H.E. NOURI AL-MALIKI

The Prime Minister and the Prime Minister of Iraq Nouri al-Maliki met on 12 March 2009. They agreed that the first visit to Australia by a Prime Minister of the Republic of Iraq symbolized the strength of the bilateral relationship and opened a new era of cooperation. Both underlined the genuine friendship between the two countries.

The Prime Ministers committed to further strengthening the bilateral relationship, including by broadening cooperation across a wide spectrum of shared interests and through intensifying trade and investment links.

They agreed an integrated framework to deliver a new era of bilateral cooperation focused on key areas of complementarity between the two countries. This will be based on six pillars: agriculture; resources and energy; trade cooperation; education, training and research; public health; security and border control.

To take forward this framework, the Prime Ministers agreed to the conclusion of six Memoranda of Understanding to be completed by no later than June 2009:

1. A Memorandum of Understanding on Agriculture, including a focus on:

- Strengthening Iraqi capabilities; for example, through training, research and development, technology cooperation and administrative support
- Strengthening commercial links related to agriculture.

2. A Memorandum of Understanding on Resources and Energy, including a focus on:

- Iraq-Australia collaboration on the development of Iraq's oil and gas industry, including human resources
- Australian investment in Iraq's resources and energy sectors

3. A Memorandum of Understanding on Trade Cooperation, including a focus on:

- Strengthening bilateral trade and investment. Capacity building for Iraq in international trade

4. A Memorandum of Understanding on Education, Training and Research, including a focus on:

- Collaboration between institutions
- Collaboration between institutions
- Scholarships in areas of mutual interest

5. A Memorandum of Understanding on Public Health, including a focus on:

- The continued development of Iraq's health system; for

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example, medical professionals, medical research and support for primary health care

- Use of Australian expertise to provide public health infrastructure

6. A Memorandum of Understanding on Security and Border Control, including a focus on

- Strengthening border surveillance and monitoring capabilities
- Support for Iraq's Ministry of Interior; for example, capacity building in forensics and DNA technology and strengthening police capabilities.

The Prime Ministers agreed to a mechanism for overseeing the implementation of these agreements. This will involve establishment annual talks by senior officials who will report to respective Ministers, with respective Foreign Ministers to review progress annually.

FOR THE GOVERNMENT OF AUSTRALIA
The Hon Kevin Rudd MP

FOR THE GOVERNMENT OF THE REPUBLIC OF IRAQ
HE Nouri Al-Maliki Prime Minister

End Notes

4. (C) The text of the MOUs follows:

Begin text:

AGRICULTURE

MEMORANDUM OF UNDERSTANDING ON AGRICULTURE BETWEEN THE
GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE REPUBLIC OF
IRAQ

THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE
REPUBLIC OF IRAQ ("The Parties")

Wishing to establish an Australia-Iraq Agricultural

Partnership focused on supporting Iraq's agricultural productivity and food security as a central element of Iraq's reconstruction and development, and desiring also to fulfil the aspirations of the Declaration signed by the Prime Minister of Australia, the Hon Kevin Rudd MP, and the Prime Minister of the Republic of Iraq, H.E. Nouri Al-Maliki, at Canberra on 12 March 2009,

Acknowledging that activities under this Memorandum of Understanding (MoU) will encompass, build on and expand the range of existing cooperative activities between Australia and the Republic of Iraq;

Noting the importance of trade and commercial linkages to the long-term growth of the relationship between Australia and the Republic of Iraq;

Have reached the following understandings:

Article One

This MoU will provide the framework for future cooperation on agriculture and establishes the Australia-Iraq Agricultural Partnership.

Article Two

The Parties will work together to encourage the development of collaborative activities on agricultural productivity, research and food security. This may include cooperation, including the exchange of information and research, in the areas of:

- a) building the skills of the agricultural sector through training, workshops and technical exchange;
- b) crop science and plant production and protection, including pest management;
- c) animal production including fisheries, animal husbandry, health and welfare, and improvement, including breeding and the use of genetic technology;
- d) plant and animal quarantine arrangements;
- e) agricultural water management, including irrigation;
- f) soil and salinity management;
- g) food security;
- h) collection and analysis of statistics; and

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- i) other areas as determined by the Parties.

Article Three

Officials will meet as required, either face-to-face or by other means as appropriate, to consult on and prioritize possible programs of activities, review outcomes from those activities and monitor cooperation under this MoU. Other matters of relevance to agriculture between the Parties may also be discussed.

- a) Meetings will be co-chaired by the senior official from the respective Ministry and Department responsible for agriculture, and may include representatives from other government agencies, as appropriate.

- b) Meetings under this MoU may also provide an opportunity for commercial interests to meet and participate in the proceedings, as determined by the Parties.

Article Four

The Parties will seek opportunities to enhance commercial linkages between the agricultural production, service and related sectors in order to increase trade and investment between Australia and the Republic of Iraq.

Article Five

The Parties will also consider any impediments that may exist to the further development of agricultural trade and investment between Australia and the Republic of Iraq, and work within their governments to address these in a manner consistent with domestic laws and international rights and obligations.

Article Six

All activities carried out under this MoU will be subject to discussion and agreement according to the resources available to both Parties.

Article Seven

The principal implementing agencies for this MoU will be the Australian Department of Agriculture, Fisheries and Forestry and the Iraqi Ministry of Agriculture (or their successors).

Article Eight

In implementing this MoU the Parties will act in accordance with their respective rights and obligations (which exist from time to time) under international law and other administrative requirements and guidelines.

Article Nine

In order to implement activities under this MoU, the Parties will enter into a subsidiary arrangement in writing for each specific activity.

Article Ten

Implementation of this MoU will be overseen by the mechanism mutually arranged by Prime Minister Rudd and Prime Minister Al-Maliki on 12 March 2009, namely annual talks between senior officials who will report to respective Ministers, with the Foreign Ministers of Australia and the Republic of Iraq to review progress annually.

Article Eleven

The Parties will settle any differences arising in relation to this MoU by consultation and without reference to a third party or tribunal for adjudication or arbitration.

Article Twelve

This MoU will come into effect on the date of exchange of official diplomatic notes confirming that both Parties have completed the necessary domestic legal procedures. It will cease to have effect on the fifth anniversary of the date of coming into effect, unless both parties mutually arrange for this MoU to be extended for a further period mutually determined by the Parties.

Article Thirteen

This MoU may be amended by mutual arrangement in writing between the Parties and the completion of the necessary domestic legal procedures of both Parties.

Article Fourteen

Either Party may terminate this MoU by giving written notice to the other Party. The MoU will cease to have effect six (6) months after notice has been given.

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months after notice has been given.

SIGNED on this 27th day of June 2009 in two copies, one in each of the Arabic and English languages, with both copies equally authentic.

The Hon Julia Gillard MP
Deputy Prime Minister
For the Government of Australia

HE Riadh Ghareeb
Acting Minister of Agriculture
For the Government of the Republic of Iraq

EDUCATION

MEMORANDUM OF UNDERSTANDING ON COOPERATION IN EDUCATION,
TRAINING AND RESEARCH BETWEEN THE GOVERNMENT OF AUSTRALIA AND
THE GOVERNMENT OF THE REPUBLIC OF IRAQ

THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE
REPUBLIC OF IRAQ ("The Parties")

Wishing to enhance the friendly bilateral relations between Australia and Iraq in the fields of education, training and research; appreciating the importance of education as a factor of economic development; and desiring also to fulfill the aspirations of the Declaration signed by the Prime Minister of Australia, the Hon Kevin Rudd MP, and the Prime Minister of the Republic of Iraq, H.E. Nouri Al-Maliki, at Canberra on 12 March 2009,

Have reached the following understandings:

Article One

Programs of cooperation in education and training are to be jointly considered between the Parties on the basis of long and sustainable cooperation, reciprocity and mutual benefit.

Article Two

The Parties will endeavor to encourage and facilitate, as appropriate and in accordance with the relevant laws and regulations of both Parties, the development of contacts and cooperation between government agencies, educational and training institutions, organizations and other entities of Australia and the Republic of Iraq, and the conclusion of further arrangements between such bodies for the conduct of cooperative activities.

Article Three

The Parties will encourage bodies described in Article Two to consider:

- a) support for and the facilitation of access to scholarships, especially for post-graduate studies;
- b) exchanges and professional development of officials, academics, scholars, staff and students;
- c) cooperation and exchanges of information on formal and non-formal education and training policy development, systems and standards, certification and auditing systems in each country;
- d) assistance in ongoing education reform and facilitation of recognition of each other's educational and professional qualifications and student/staff mobility;
- e) collaboration between education, training and research institutions, including exchange of research materials and educational literature; and
- f) other forms of educational and training cooperation as may be mutually determined.

Article Four

Specific areas of cooperation under this Memorandum of Understanding (MoU) may include:

- a) higher education;
- b) English language training;
- c) vocational education and training; and
- d) post-graduate research, including but not limited to the fields of humanities, agriculture horticulture, renewable energy, water management and engineering and mining.

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Article Five

All information acquired or exchanged by virtue of this MoU will not be transmitted to a third Party without the prior written consent of the other Party. The protection of intellectual property rights will be enforced in conformity with the respective laws and regulations of the Parties.

Article Six

All activities carried out under this MoU will be subject to discussion and agreement according to the resources available

to both Parties.

Article Seven

The principal implementing agencies for this MoU will be the Australian Department of Education, Employment and Workplace Relations and the Iraqi Ministry of Higher Education and Scientific Research (or their successors).

Article Eight

The Parties will reach detailed arrangements for the implementation and development of specific programs through diplomatic channels, meetings, exchanges of letters or other instruments.

Article Nine

In implementing this MoU the Parties will act in accordance with their respective rights and obligations (which exist from time to time) under international law and other administrative requirements and guidelines.

Article Ten

Implementation of this MoU will be overseen by the mechanism mutually arranged by Prime Minister Rudd and Prime Minister Al-Maliki on 12 March 2009, namely annual talks between senior officials who will report to respective Ministers, with the Foreign Ministers of Australia and the Republic of Iraq to review progress annually.

Article Eleven

The Parties will settle any differences arising in relation to this MoU by consultation and without reference to a third party or tribunal for adjudication or arbitration.

Article Twelve

This MoU will come into effect on the date of exchange of official diplomatic notes confirming that both Parties have completed the necessary domestic legal procedures. It will cease to have effect on the fifth anniversary of the date of coming into effect, unless both parties mutually arrange for this MoU to be extended for a further period mutually determined by the Parties.

Article Thirteen

This MoU may be amended by mutual arrangement in writing between the Parties and the completion of the necessary domestic legal procedures of both Parties.

Article Fourteen

Either Party may terminate this MoU by giving written notice to the other Party. The MoU will cease to have effect six (6) months after notice has been given.

SIGNED on this 27th day of June 2009 in two copies, one in each of the Arabic and English languages, with both copies equally authentic.

The Hon Julia Gillard MP
Deputy Prime Minister
For the Government of Australia

HE Dr. ABD Thiab Al-Ajeely
Minister of Higher Education and Scientific Research
For the Government of the Republic of Iraq

HEALTH

MEMORANDUM OF UNDERSTANDING ON HEALTH COOPERATION BETWEEN THE
GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE REPUBLIC OF
IRAQ

THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE
REPUBLIC OF IRAQ ("The Parties")

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Wishing to further promote and expand a mutually beneficial

exchange on the development of Iraq's health system, and desiring also to fulfill the aspirations of the Declaration signed by the Prime Minister of Australia, the Hon Kevin Rudd MP, and the Prime Minister of the Republic of Iraq, H.E. Nouri Al-Maliki, at Canberra on 12 March 2009,

Have reached the following understandings:

Article One

The Parties will work together to encourage the development of collaborative activities on health. This may include cooperation in the areas of:

- a) public health and public health infrastructure;
- b) medical research;
- c) health workforce;
- d) health system strengthening;
- e) primary health care; and
- f) other areas as determined by the Parties.

Article Two

To advance the objectives of Article One, the Parties will encourage, subject to their respective laws and, where appropriate, facilitate:

- a) the exchange of public health and medical information, research and legislation;
- b) meetings and discussions between public health experts, medical scientists, commercial and technical representatives, groups and delegations;
- c) cooperation between public health associations and institutions; and
- d) public health training, research and educational opportunities for Iraqi students, scientists, clinicians and other professionals.

Article Three

All activities carried out under this Memorandum of Understanding (MoU) will be subject to discussion and agreement according to the resources available to both Parties.

Article Four

The principal implementing agencies for this MoU will be the Australian Department of Health and Aging and the Iraqi Ministry of Health (or their successors).

Article Five

In implementing this MoU the Parties will act in accordance with their respective rights and obligations (which exist from time to time) under international law and other administrative requirements and guidelines.

Article Six

Implementation of this MoU will be overseen by the mechanism mutually arranged by Prime Minister Rudd and Prime Minister Al-Maliki on 12 March 2009, namely annual talks between senior officials who will report to respective Ministers, with the Foreign Ministers of Australia and the Republic of Iraq to review progress annually.

Article Seven

The Parties will settle any differences arising in relation to this MoU by consultation and without reference to a third party or tribunal for adjudication or arbitration.

Article Eight

This MoU will come into effect on the date of exchange of official diplomatic notes confirming that both Parties have completed the necessary domestic legal procedures. It will cease to have effect on the fifth anniversary of the date of coming into effect, unless both parties mutually arrange for this MoU to be extended for a further period mutually determined by the Parties.

Article Nine

This MoU may be amended by mutual arrangement in writing between the Parties and the completion of the necessary domestic legal procedures of both Parties.

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Article Ten

Either Party may terminate this MoU by giving written notice to the other Party. The MoU will cease to have effect six (6) months after notice has been given.

SIGNED on this 27th day of June 2009 in two copies, one in each of the Arabic and English languages, with both copies equally authentic.

The Hon Julia Gillard MP
Deputy Prime Minister
For the Government of Australia

HE Dr. Salih Mehdi Al-Hasnawy
Minister of Health
For the Government of the Republic of Iraq

RESOURCES AND ENERGY

MEMORANDUM OF UNDERSTANDING ON RESOURCES AND ENERGY BETWEEN
THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE
REPUBLIC OF IRAQ

THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE
REPUBLIC OF IRAQ ("The Parties")

Wishing to promote cooperation between their respective resource and energy sectors, and desiring also to fulfill the aspirations of the Declaration signed by the Prime Minister of Australia, the Hon Kevin Rudd MP, and the Prime Minister of the Republic of Iraq, H.E. Nouri Al-Maliki, at Canberra on 12 March 2009,

I
Have reached the following understandings:

Article One

The Parties will, subject to the laws and regulations and investment policies in force in their respective countries, from time to time, and taking full account of the need to ensure confidentiality of information and commercial confidentiality, give consideration to:

- a) facilitating greater opportunities for trade and investment in their respective resource and energy sectors through enhanced awareness of policy and regulatory frameworks and addressing impediments in these areas where appropriate;
- b) identifying opportunities for greater cooperation and collaboration in the resources (including mining-related services) and energy sectors, including but not limited to the areas of sustainable development, clean energy policy, resources policies and regulations, and capacity building;
- c) enhancing collaborative and commercial relationships by promoting commercial linkages between the Parties' mining and energy industries;
- d) fostering knowledge growth and exchange in the areas of, but not limited to: resources policies and regulations covering matters such as investments, taxation and royalties, land tenure and management, transparency and governance, infrastructure provision, environment protection and occupational health and safety; and
- i) energy policy and technology, with particular emphasis on the development of clean energy systems, including: low emission and renewable energy technologies, energy efficiency

and remote area power systems; and

ii) capacity building covering matters such as geological assessment, mapping, Geographic Information Systems (GIS), remote sensing, human resource development, environment protection, community development and broader regional development in the resources and energy industries; and

e) any other cooperative activities mutually determined by the Parties which will be managed through business forums, roundtables, workshops, and formal channels of communication as organized by the Parties.

Article Two

All activities carried out under this Memorandum of

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Understanding (MoU) will be subject to discussion and agreement according to the resources available to both Parties.

Article Three

1. The principal implementing agencies for this MoU will be the Australian Department of Resources, Energy and Tourism and the Iraqi Ministry of Industry and Minerals and the Iraqi Ministry of Oil (or their successors).

2. The Parties may, by mutual consent, invite other institutions and/or companies to participate in activities carried out under this MoU.

3. The Parties mutually decide that the results of the cooperation activities arising from this MoU may be disclosed and published subject to the prior consent of both Parties and of the holders of any applicable copyrights.

Article Four

In implementing this MoU the Parties will act in accordance with their respective rights and obligations (which exist from time to time) under international law and other administrative requirements and guidelines.

Article Five

Implementation of this MoU will be overseen by the mechanism mutually arranged by Prime Minister Rudd and Prime Minister Al-Maliki on 12 March 2009, namely annual talks between senior officials who will report to respective Ministers, with the Foreign Ministers of Australia and the Republic of Iraq to review progress annually.

Article Six

The Parties will settle any differences arising in relation to this MoU by consultation and without reference to a third party or tribunal for adjudication or arbitration.

Article Seven

This MoU will come into effect on the date of exchange of official diplomatic notes confirming that both Parties have completed the necessary domestic legal procedures.

It will cease to have effect on the fifth anniversary of the date of coming into effect, unless both parties mutually arrange for this MoU to be extended for a further period mutually determined by the Parties.

Article Eight

This MoU may be amended by mutual arrangement in writing between the Parties and the completion of the necessary domestic legal procedures of both Parties.

Article Nine

Either Party may terminate this MoU by giving written notice to the other Party. The MoU will cease to have effect six (6) months after notice has been given.

SIGNED on this 27th day of June 2009 in two copies, one in

each of the Arabic and English languages, with both copies equally authentic.

The Hon Julia Gillard MP
Deputy Prime Minister
For the Government of Australia

HE Fawzi Al-Hariri
Minister of Industry and Minerals
For the Government of the Republic of Iraq

SECURITY AND BORDER CONTROL

MEMORANDUM OF UNDERSTANDING ON SECURITY AND BORDER CONTROL BETWEEN THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE REPUBLIC OF IRAQ

THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE
REPUBLIC OF IRAQ ("The Parties")

Wishing to further promote and expand mutually beneficial cooperation to strengthen security and border control in Iraq, and desiring also to fulfil the aspirations of the Declaration signed by the Prime Minister of Australia, the

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Hon Kevin Rudd MP, and the Prime Minister of the Republic of Iraq, H.E. Nouri Al-Maliki, at Canberra on 12 March 2009,

Have reached the following understandings:

Article One

To strengthen border surveillance and monitoring, the Parties will

1. subject to international law and the laws and regulations in force in their respective countries, from time to time, take appropriate measures to cooperate in relation to security and border control; and

2. work together to assist Iraq to strengthen border surveillance and monitoring capabilities. This will include a development assistance program over two years for the training of Iraqi officials in the areas of:

- a) border search and inspection;
- b) surveillance, intelligence and risk management;
- c) customs and quarantine law;
- d) management and organizational capacity building; and
- e) other areas to be determined by the Parties.

Article Two

Australia will provide support to the Iraqi Police Service and training for up to 244 members in forensics and leadership/management. The training program will be delivered in Australia and will be specially designed to meet the emerging needs of the Iraqi Police Service and to enhance forensic and leadership/management capacity, particularly in the areas of:

- a) advanced crime scene investigation;
- b) forensic biology including the use of DNA technology;
- c) chemical criminalistics;
- d) bomb data awareness;
- e) advanced fingerprinting; and
- f) police leadership.

Article Three

The Parties will encourage and facilitate the attendance of Iraqi Police Force members at other relevant training courses as appropriate, including in third countries. Such attendance will be on a user-pays basis.

Article Four

The Parties will continue to work cooperatively to combat

people smuggling and trafficking, particularly through the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime.

Article Five

The Parties will encourage and facilitate defense cooperation assistance in the areas of military logistics and officer training of Iraqi Armed Forces personnel in Australia.

Article Six

The Parties will encourage and facilitate intelligence cooperation, including assistance through capacity building initiatives.

Article Seven

All activities carried out under this Memorandum of Understanding (MoU) will be subject to discussion and agreement according to the resources available to both Parties.

Article Eight

The principal implementing agencies for this MoU will be relevant Australian government agencies including the Australian Federal Police, AusAID, the Department of Foreign Affairs and Trade, the Department of Defense, and the Department of Immigration and Citizenship; and the Iraqi Ministries of the Interior, Defense and Displacement and Migration; and relevant intelligence agencies (or their successors).

Article Nine

In implementing this MoU the Parties will act in accordance with their respective rights and obligations (which exist from time to time) under international law and other administrative requirements and guidelines.

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Article Ten

Implementation of this MoU will be overseen by the mechanism mutually arranged by Prime Minister Rudd and Prime Minister Al-Maliki on 12 March 2009, namely annual talks between senior officials who will report to respective Ministers, with the Foreign Ministers of Australia and the Republic of Iraq to review progress annually.

Article Eleven

The Parties will settle any differences arising in relation to this MoU by consultation and without reference to a third party or tribunal for adjudication or arbitration.

Article Twelve

This MoU will come into effect on the date of exchange of official diplomatic notes confirming that both Parties have completed the necessary domestic legal procedures. It will cease to have effect on the fifth anniversary of the date of coming into effect, unless both parties mutually arrange for this MoU to be extended for a further period mutually determined by the Parties.

Article Thirteen

This MoU may be amended by mutual arrangement in writing between the Parties and the completion of the necessary domestic legal procedures of both Parties.

Article Fourteen

Either Party may terminate this MoU by giving written notice to the other Party. The MoU will cease to have effect six (6) months after notice has been given.

SIGNED on this 27th day of June 2009 in two copies, one in each of the Arabic and English languages, with both copies equally authentic.

The Hon Julia Gillard MP
Deputy Prime Minister

For the Government of Australia

HE Jawad Kadhim Al-Bulani
Minister of Interior
For the Government of the Republic of Iraq

TRADE COOPERATION

MEMORANDUM OF UNDERSTANDING ON TRADE COOPERATION BETWEEN THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE REPUBLIC OF IRAQ

THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE
REPUBLIC OF IRAQ ("The Parties")

Wishing to further promote and expand mutually beneficial
trade and economic relations between their two countries, and
desiring also to fulfill the aspirations of the Declaration
signed by the Prime Minister of Australia, the Hon Kevin Rudd
MP, and the Prime Minister of the Republic of Iraq, H.E.
Nouri Al-Maliki, at Canberra on 12 March 2009,

Have reached the following understandings:

Article One

The Parties will, subject to the laws and regulations and
investment policies in force in their respective countries,
from time to time, take appropriate measures to facilitate,
promote, strengthen and diversify bilateral trade, economic
relations and investment, with the aim of achieving a
mutually beneficial expansion of trade, economic relations
and investment.

Article Two

To advance the objectives of Article One, the Parties will
encourage and, where appropriate, facilitate:

- a) the negotiation of commercial contracts between relevant
natural and legal persons of their two countries;
- b) the development of economic, industrial and technical
cooperation between relevant natural and legal persons of
their two countries;

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- c) meetings and discussions between commercial and technical
representatives, groups and delegations between their two
countries;

- d) the holding of, and participation by natural and legal
persons of the other Party in, permanent and temporary trade
fairs and other promotional activities which advance trade
and economic cooperation;

- e) the participation of small and medium sized enterprises in
trade and industrial cooperation;

- f) investment by investors of one Party in the territory of
the other Party;

- g) cooperation between the relevant investment agencies of
each country, including for the preparation of Iraq's
National Investment Strategy; and

- h) any other activities that promote the expansion of
bilateral trade, investment and economic relations.

Article Three

The Parties will work together to assist the Republic of Iraq
to engage in international trade. This may include:

- a) ongoing support by Australia for the Republic of Iraq's
accession to the World Trade Organization;

- b) cooperation on the development of new foreign investment legislation for the Republic of Iraq;
- c) support by Australia for the training of Iraqi officials in trade negotiations;
- d) support by Australia for capacity building efforts with the Central Bank of Iraq; and
- e) other activities or initiatives that may be developed by mutual arrangement between Australia and the Republic of Iraq.

Article Four

All activities carried out under this Memorandum of Understanding (MoU) will be subject to discussion and agreement according to the resources available to both Parties.

Article Five

The principal implementing agencies for this MoU will be the Australian Department of Foreign Affairs and Trade and the Iraqi Ministry of Trade (or their successors).

Article Six

In implementing this MoU the Parties will act in accordance with their respective rights and obligations (which exist from time to time) under international law and other administrative requirements and guidelines. This includes rights and obligations arising from either Party's membership of the World Trade Organization.

Article Seven

Implementation of this MoU will be overseen by the mechanism mutually arranged by Prime Minister Rudd and Prime Minister Al-Maliki on 12 March 2009, namely annual talks between senior officials who will report to respective Ministers, with the Foreign Ministers of Australia and the Republic of Iraq to review progress annually.

Article Eight

The Parties will settle any differences arising in relation to this MoU by consultation and without reference to a third party or tribunal for adjudication or arbitration.

Article Nine

This MoU will come into effect on the date of exchange of official diplomatic notes confirming that both Parties have completed the necessary domestic legal procedures. It will cease to have effect on the fifth anniversary of the date of coming into effect, unless both parties mutually arrange for this MoU to be extended for a further period mutually determined by the Parties.

Article Ten

This MoU may be amended by mutual arrangement in writing between the Parties and the completion of the necessary domestic legal procedures of both Parties.

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Article Eleven

Either Party may terminate this MoU by giving written notice to the other Party. The MoU will cease to have effect six (6) months after notice has been given.

SIGNED on this 27th day of June 2009 in two copies, one in each of the Arabic and English languages, with both copies equally authentic.

The Hon Julia Gillard MP
Deputy Prime Minister
For the Government of Australia

HE Dr. Safaldeen Mohammed al-Safi
Acting Minister of Trade
For the Government of the Republic of Iraq

End Text

